

ENTERED

May 01, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISON**

TRUMP, INC. d/b/a ONYX HOUSTON,

§

Plaintiff,

§

v.

§

THE CITY OF HOUSTON,
THE CITY OF HOUSTON POLICE
DEPARTMENT, THE CITY OF
HOUSTON FIRE DEPARTMENT,
UNNAMED POLICE OFFICERS AND
FIRE DEPARTMENT OFFICERS, in their
individual and official capacities,

§

CIVIL ACTION NO. 20-cv-1555

§

§

§

§

§

§

§

Defendants.

TEMPORARY RESTRAINING ORDER

On this day, the Petition of Trump, Inc. d/b/a Onyx Houston, requesting a Temporary Restraining Order was presented to the Court. The Court, having examined the petition requesting injunctive relief and considered the evidence, finds it has jurisdiction over all parties and persons affected by this order. This Court finds sufficient evidence that establishes the elements necessary for issuance of a temporary restraining order and the Plaintiff's probable right to the recovery requested and that immediate and irreparable injury, loss, or damage will result to Trump, Inc. d/b/a Onyx Houston unless Defendants are immediately ordered to do or refrain from specified acts.

IT IS THEREFORE ORDERED that Defendants are enjoined as follows:

- a. Defendants are prohibited from arresting any employee or representative of Onyx Houston for conducting Operations;
- b. Defendants are prohibited from maintaining a physical presence at the Onyx Houston or within 400 meters of the Onyx premises for longer than thirty minutes unless investigating criminal activity with probable cause;

- c. Defendants are prohibited from closing or attempting to close Onyx under color of Governor Greg Abbott's Executive Order GA 18;
- d. Defendants shall produce all documents and communications relating to investigations of Onyx Houston from the time period of April 27, 2020 through May 15, 2020, and shall produce them five days before the hearing on Plaintiff's preliminary injunction (by no later than Monday, May 4, 2020); and
- e. Defendants shall produce a privilege log and articulate the legal basis for any privilege they assert for all documents withheld from subsection d. above, and shall produce it five days before the hearing on Plaintiff's temporary injunction.

IT IS FURTHER ORDERED that Defendants and their agents, servants, employees, attorneys, and all persons and entities acting, by, through, under or in concert with them, from the date of this Order until the date of the hearing set below, not to exceed fourteen (14) days after the entry of this Order unless further ordered by this Court, be and are hereby enjoined and commanded to cease, desist, and refrain from engaging in the activities described above.

IT IS FURTHER ORDERED that this temporary restraining order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law. The clerk of this Court shall provide a copy of this Temporary Restraining Order to all parties. The Defendants are commanded to appear before this Court via teleconference on May 8, 2020, at 9:00 am to show cause if any why the Preliminary Injunction requested in the complaint should not be granted.

IT IS FURTHER ORDERED that before the clerk issues this temporary restraining order, Plaintiff shall execute and file with the clerk of the Court a bond or deposit of cash or check in conformity with the law in the amount of \$ 500.00.

SIGNED on May 1, 2020, at 7:25

o'clock, _____ P _____.m.



JUDGE PRESIDING